

AGENDA MEMO

CITY COUNCIL MEETING DATE JUNE 17, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: DIR-33831 – APPLICANT: MARY GROVE - OWNER:
MEADOWBROOK MOUNTAIN SPA, LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The applicant shall pay a fee to the City through the Planning and Development Department of \$3,532.50 to operate the water features through December 31, 2009. This fee shall be paid within 30 days of the approval of this application. For subsequent years in which Drought Watch or Drought Alert is declared, an annual fee of \$250.00 shall be paid.
2. The applicant shall post a sign at the water feature to indicate an exemption has been received allowing its operation.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Water Feature Exemption to allow the operation of two (2) water features at the entrance of a Golf Course located at 8600 Cupp Drive. Each feature has a surface area of 176.625 square feet.

ANALYSIS

The applicant is requesting to activate two (2) 176.625 square-foot Water Features, constructed in 2001, located near the front entrance of a Golf Course. Under current drought conditions, a maximum of 25 square feet is permitted without receiving an exemption. These Water Features exceed the maximum permissible area by 151.625 square feet each (totaling of 303.25 square feet).

The Southern Nevada Water Authority (SNWA) notes that there is an outstanding violation regarding the subject water features.

Pursuant to Title 14.11.190, the City Council may approve exemptions to allow the operation of water features during Drought Watch and Drought Alert as defined by the SNWA. On sites where turf exists at the time of the exemption request, 50 square feet of turf shall be converted to drought tolerant landscaping (such as desert landscaping) to allow for each square-foot of water feature area. In cases where there is not enough turf to be removed at the time of the request to meet this ratio, a fee of \$10 per square-foot of surface area shall be paid for the remaining portion of the water feature area not covered by the turf conversion. In cases where there is no turf on the subject site, the \$10 per square-foot of water feature area shall be applied.

Per Title 14.11.190, an initial fee of \$10 per square-foot of surface area shall be applied to the subject water features. The initial fee shall be paid within 30 days of approval of this application. Additionally, an annual renewal fee of \$250 shall be applied. Per Title 14.11.190, an annual renewal fee is due in years when either Drought Watch or Drought Alert has been declared. For applications approved in the first six months of the calendar year, the annual renewal fee shall be due at the beginning of the next succeeding calendar year. In this case, the due date is January 1, 2010, if Drought Watch or Drought Alert is declared.

It is also noted that in order to inform the public that an exemption has been received for the subject water features, the applicant shall post a sign adjacent to the subject water features as such.

FINDINGS

Title 14.11.190 states that a “water reduction plan” is required for exemption eligibility. The submitted plans for the two (2) features indicate that when they were constructed in 2001, there was 1,100 square feet of Xeriscape Conversion per water feature. Per the SNWA Drought Plan as amended January 2005, this credit for conversion cannot be further applied to maintain the operation of a restricted water feature. There is no turf to convert to as part of this request. In the event that the required water savings cannot be achieved, as in this case, Title 14.11.190 states that a fee must be paid to allow for the exemption. Therefore, the amount of the fee the applicant shall be required to pay to allow for the operation of the two (2) water features during the current declaration of the Drought Watch or Drought Alert is \$3,532.50. In subsequent years when either Drought Watch or Drought Alert is declared, the property owner shall pay an annual fee of \$250 to allow for the continued operation of the water features.

The applicant shall comply with Title 14 regarding the water features. Approval of this request is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0